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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/690,430	10/21/2003	Brett Allison Taylor	287692-00030

David C. Jenkins
 Eckert Seamans Cherin & Mellott, LLC
 44th Floor
 600 Grant Street
 Pittsburgh, PA 15219



CONFIRMATION NO. 3833

FORMALITIES LETTER



OC000000011742117

Date Mailed: 01/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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08/19/2004 CNGUYEN 00000014 501814 10690430

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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brett A. TAYLOR

Confirmation No.: 3833

Application No.: 10/690,430

Group Art Unit: 3738

Filing Date: October 21, 2003

Examiner: Not yet assigned

For: INTERVERTEBRAL DISK PROSTHESIS

Attorney Docket No.: 104558-200
(Updated)

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed January 22, 2004, a copy of which is attached, submitted herewith is the executed Declaration.

Also enclosed are a Petition for Extension of Time, a Revocation and Power of Attorney, and a Verified Statement Claiming Small Entity Status.

Additionally, please note our updated attorney docket number, which is **104558-200.**

A late declaration fee of \$65.00 is believed to be due. Please charge this and any other fee that is due to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,

Aug. 18, 2004
Date

E. Bradley Gould (Reg. No. 41,792)
For: Allan A. Fanucci (Reg. No. 30,526)

WINSTON & STRAWN LLP
Customer No. 28765

202-371-5771